

* * * This Product Is Guaranteed To Comply With All Pure Food Laws and B. A. I. Regulations."

NATURE OF CHARGE: Misbranding, Section 403 (a), the oleoresin capsicum listed first in the ingredient statement was false and misleading as applied to a product which contained little, if any, oleoresin capsicum; and the label statement "This Product Is Guaranteed To Comply With All Pure Food Laws and B. A. I. Regulations" was false and misleading since the article did not comply with the Federal Food, Drug, and Cosmetic Act, and was a product which was not permitted to be used in plants operated under B. A. I. regulations.

Further misbranding, Section 403 (i) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient since the statement "other essential oils and extractions in a Sodium Chloride Carrier" did not reveal the common or usual name of each ingredient of the article; and, Section 403 (k), the article contained artificial coloring, cochineal, and it failed to bear labeling stating that fact.

DISPOSITION: April 22, 1953. Default decree of condemnation and destruction.

20695. Misbranding of Paprakene. U. S. v. 1 Drum * * *. (F. D. C. No. 34747. Sample No. 56578-L.)

LABEL FILED: March 12, 1953, Middle District of Tennessee.

ALLEGED SHIPMENT: On or about December 23, 1952, by Spicene Co. of America, Inc., from West New York, N. J.

PRODUCT: One drum of Paprakene at Nashville, Tenn. Examination showed that the article was salt, colored with annatto and cochineal color, and that it contained little or no oleoresin capsicum.

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Further misbranding, Section 403 (i) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient since the statement "other essential oils and extractions in a Sodium Chloride Carrier" did not reveal the common or usual name of each ingredient of the article; and, Section 403 (k), the article contained artificial coloring, cochineal, and it failed to bear labeling stating that fact.

DISPOSITION: May 22, 1953. Default decree of condemnation and destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

20696. Adulteration and misbranding of vitamin preparations. U. S. v. 32 Bottles, etc. (F. D. C. No. 35273. Sample Nos. 39518-L, 39520-L to 39522-L, incl., 39525-L.)

LABEL FILED: June 4, 1953, Southern District of California.

ALLEGED SHIPMENT: During 1951 and 1952, from Detroit, Mich.

PRODUCT: 32 100-capsule bottles of multiple vitamin capsules, 22 1-quart bottles of vitamins with iron in liquid form, 94 250-capsule bottles and 61 1,000-capsule bottles of vitamin B complex with iron capsules, and 29 1-quart bottles of malt with vitamins and iron in liquid form, at Glendale, Calif.

Examination showed that the multiple vitamin capsules contained 60 percent of the declared amount of vitamin D; that the vitamins with iron in liquid form contained 48 percent of the declared amount of vitamin B₁; that the vitamin B complex with iron capsules contained from 70 to 73 percent of the declared amount of vitamin B₁; and that the malt with vitamins and iron in liquid form contained 55 percent of the declared amount of vitamin B₁.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, namely, vitamin D in the multiple vitamin capsules and vitamin B₁ in the other articles, had been in part omitted or abstracted from the articles.

Misbranding, Section 403 (a), the following statements on the labels of the articles were false and misleading: (multiple vitamin capsules) "Each capsule contains * * * 1,200 U. S. P. Units Vitamin D," (vitamins with iron in liquid form and malt with vitamins and iron in liquid form) "Each fluidounce contains * * * Vitamin B₁ * * * 4 Mg.," and (vitamin B complex with iron capsules) "Six capsules supply * * * Vitamin B₁ * * * 6 Mgms."

The articles were adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: July 13, 1953. Default decree of condemnation and destruction.

20697. Adulteration and misbranding of vitamin capsules. U. S. v. 295 Bottles * * *. (F. D. C. No. 34954. Sample Nos. 70735-L, 70736-L.)

LABEL FILED: April 15, 1953, Southern District of Ohio.

ALLEGED SHIPMENT: On or about May 29, 1951, from Los Angeles, Calif.

PRODUCT: Vitamin capsules. 280 45-capsule bottles and 15 210-capsule bottles at Cincinnati, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents had been in part omitted or abstracted from the article, namely, vitamin B₁ and vitamin C from the 280-bottle lot and the 15-bottle lot, vitamin B₆ and niacinamide from the 280-bottle lot, and riboflavin from the 15-bottle lot.

Misbranding, Section 403 (a), the following label statements were false and misleading as applied to both lots, which contained less than the declared amounts of vitamin B₁ and vitamin C; as applied to the 280-bottle lot, which contained less than the declared amounts of vitamin B₆ and niacinamide; and as applied to the 15-bottle lot, which contained less than the declared amount of vitamin B₂ (riboflavin): "Each Capsule * * * Fortified With * * * Vitamin B-1 * * * 15,000 Mcg. (15 Mg.) Vitamin B-2 (Riboflavin) 6,000 Mcg. (6 Mg.) Vitamin B-6 * * * 125 Mcg. (0.125 Mg.) Vitamin C * * * 1,000 USP Units (50 Mg.) Niacinamide 10,000 Mcg. (10 Mg.)."

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: August 26, 1953. Default decree of condemnation and destruction.

20698. Adulteration and misbranding of B-Amino Complex tablets. U. S. v. 27 Cartoned Bottles * * *. (F. D. C. No. 34935. Sample No. 54112-L.)

LABEL FILED: April 7, 1953, Northern District of Illinois.